

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JOSEF GRAZIANI, Plaintiff, v. MICHAEL V. PUGH, et al., Defendants. } Case No. EDCV 12-2199-R (OP) } ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND FINAL RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, all the records and files herein, the Report and Recommendation of the United States Magistrate Judge, and the Objections filed by Plaintiff, *de novo*.

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1 IT IS ORDERED that the Judgment be entered: (1) accepting this Report  
2 and Recommendation; (2) dismissing Plaintiff's deliberate indifference claims  
3 Defendants Samuels, Penn, and Banks without leave to amend; (3) dismissing the  
4 First Amended Complaint without leave to amend and with prejudice; and (4)  
5 directing that judgment be entered dismissing the First Amended Complaint with  
6 prejudice.

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8 DATED: April 10, 2013

9 HONORABLE MANUEL L. REAL  
10 United States District Judge

11 Prepared by:

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14 HONORABLE OSWALD PARADA  
15 United States Magistrate Judge